

ELMAN TECHNOLOGY LAW, P.C.**PATENT, TRADEMARK, COPYRIGHT & INTERNET LAW**

406 Yale Avenue P.O. Box 209

Swarthmore, PA 19081-0209 U.S.A.

Phone: 610-892-9942 Email: gerry@elman.com eFax: 925-226-4995

**RECEIVED
CENTRAL FAX CENTER****FEB 28 2005****To: USPTO Official fax****Company : USPTO General****Your File Number :****Fax Number : 17038729306****From : Gerry J. Elman****Company : Elman Technology Law, P.C.****Our File Number :****Fax Number : 1-925-226-4995****Subject :****Pages including cover page: 16****Time : 10:58:28 AM****Date : 2/28/2005****MESSAGE**

Please acknowledge receipt to 925-226-4995

Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being transmitted by facsimile to the United States Patent and Trademark Office to Examiner LAMM, ART UNIT 1616, central fax number 703-872-9306.

on February 28, 2005

The undersigned, Sandra G. Kushner, hereby avers that all statements on this Certificate of Transmission are true pursuant to the provisions of and penalties under 18 U.S.C. Section 1001.



Sandra G. Kushner, Paralegal to Gerry J. Elman,
Reg. 24,404 Customer no. 003775

U.S. Patent Application	10/790,386
Confirmation no.	1100
Title:	Cosmetic Composition and Method
First named inventor:	Lerner
GAU/Examiner	1616/Lamm
Attorney Docket No.	QMT1.2-Con-US

Piece(s) transmitted herewith:

Certificate of Facsimile Transmission	1	piece(s)
Transmittal Form	1	piece(s)
Response to Restriction Requirement	5	piece(s)
Information Disclosure Statement	4	piece(s)
Request of Extension of Time	1	piece(s)
Notice of Copending Application	1	piece(s)
PTO Form 2038	1	piece(s)
Total piece(s) this submission	14	piece(s)

PTO/SB/21 (09-04)

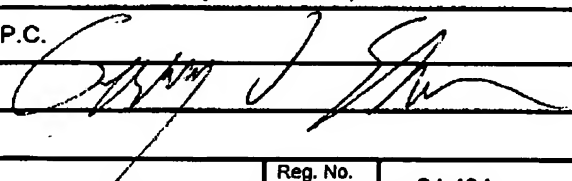
Approved for use through 07/31/2005. OMB 0651-0031

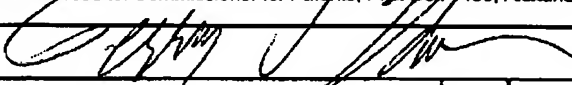
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/790,386
	Filing Date	March 1, 2004
	First Named Inventor	Lerner
	Art Unit	1616
	Examiner Name	LAMM, M.
	Attorney Docket Number	QMT1.2-CON-US
Total Number of Pages In This Submission		14

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input checked="" type="checkbox"/> Notice of Copending Application Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address 4 sheet(s) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Certificate of Fax Transmission; PTO form 2038.
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Elman Technology Law, P.C.		
Signature			
Printed name	Gerry J. Elman		
Date	December 10, 2004	Reg. No.	24,404

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:	
Signature	
Typed or printed name	Gerry J. Elman
Date	February 28, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

FEB 28 2005

Via Official Fax no 703-872-9306

**PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)
FY 2005 (fees effective on or after December 8, 2004)**

Application Number	10/790,386	Filed:	March 1, 2004
Art Unit	1616	Examiner	LAMM
Attorney Docket No.	QMT1.2-CON-US	Confirmation No.	1100

For **COSMETIC COMPOSITION AND METHOD**

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.

The requested extension and fees are as follows (check time period desired and enter the appropriate fee below):

	Fee	Small Entity Fee	
One month (37 CFR 1.17(a)(1))	\$120	\$60	\$
<input checked="" type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$450	\$225	\$225.00
Three months (37 CFR 1.17(a)(3))	\$1020	\$510	\$
Four months (37 CFR 1.17(a)(4))	\$1590	\$795	\$
Five months (37 CFR 1.17(a)(5))	\$2160	\$1080	\$

☒ Applicant claims small entity status. See 37 CFR 1.27

A check in the amount of the fee is enclosed.

☒ Payment by credit card. Form PTO-2038 is attached.

The Director has already been authorized to charge fees in this application to a Deposit Account.

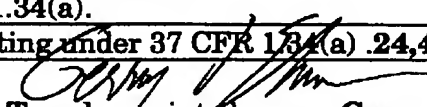
☒ The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account Number 05-0845. I have enclosed a duplicate of this sheet.

I am the applicant/inventor.

assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/96).

attorney or agent of record. Registration Number

☒ attorney or agent under 37 CFR 1.34(a).Registration number if acting under 37 CFR 1.34(a) **24,404**Date: February 28, 2005 Signature: 

Telephone Number: 610-892-9942

Typed or printed name: **Gerry J. Elman**

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

Total of forms are submitted. **1**

This collection of information is required by 37 CFR 1.136(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

02/28/2005 EKOLI1 00000012 10790386

01 FC-2252

225.00.00

FEB 28 2005

Via Official Fax no 703-872-9306

**PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)
FY 2005 (fees effective on or after December 8, 2004)**

Application Number	10/790,386	Filed:	March 1, 2004
Art Unit	1616	Examiner	LAMM
Attorney Docket No.	QMT1.2-CON-US	Confirmation No.	1100

For **COSMETIC COMPOSITION AND METHOD**

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.

The requested extension and fees are as follows (check time period desired and enter the appropriate fee below):

	Fee	Small Entity Fee	
One month (37 CFR 1.17(a)(1))	\$120	\$60	\$
<input checked="" type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$450	\$225	\$225.00
Three months (37 CFR 1.17(a)(3))	\$1020	\$510	\$
Four months (37 CFR 1.17(a)(4))	\$1590	\$795	\$
Five months (37 CFR 1.17(a)(5))	\$2160	\$1080	\$

☒ Applicant claims small entity status. See 37 CFR 1.27

A check in the amount of the fee is enclosed.

☒ Payment by credit card. Form PTO-2038 is attached.

The Director has already been authorized to charge fees in this application to a Deposit Account.

☒ The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account Number **05-0845**. I have enclosed a duplicate of this sheet.

I am the applicant/inventor.

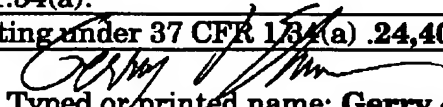
assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/96).

attorney or agent of record. Registration Number

☒ attorney or agent under 37 CFR 1.34(a).

Registration number if acting under 37 CFR 1.34(a) **24,404**

Date: February 28, 2005 Signature: 

Telephone Number: **610-892-9942**

Typed or printed name: **Gerry J. Elman**

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

Total of forms are submitted. 1

This collection of information is required by 37 CFR 1.136(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.